

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

Case No.: 15-CR-667-1 (GAG)

JORDANISH TORRES-GARCIA

**SUPPLEMENTAL MOTION NOTIFYING FURTHER VIOLATIONS TO CONDITIONS
OF SUPERVISED RELEASE**

**TO THE HONORABLE GUSTAVO A. GELPI
UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

**COMES NOW, LUIS O. SANTANA-TAPIA, UNITED STATES PROBATION
OFFICER** of this Honorable Court, notifying and requesting as follows:

On November 22, 2016, Mr. Jordanish Torres-Garcia was sentenced by Your Honor to serve an imprisonment term of Thirty-Six (36) months, followed by a supervised release term of Three (3) years, after he pled guilty to violating Title 18, U.S.C. § 922 (g)(1), that is: Prohibited Convicted Felon in Possession of a Firearm and Ammunition. On December 11, 2018, Mr. Torres-Garcia was released from Bureau of Prison's custody at which time his supervised released term commenced.

On November 14, 2019, the U.S. Probation Office filed a motion notifying violations to conditions of supervised release and requested an arrest warrant. On November 15, 2019, the Honorable Gustavo A. Gelpi, U.S. District Court Judge issued an arrest warrant.

During the time Mr. Torres-Garcia was absconded from supervision, he incurred in the following violations to conditions of supervised release:

STUTORY CONDITION: “THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, OR LOCAL CRIME”

On November 14, 2022, Mr. Jordanish Torres-Garcia was arrested in the State of Florida under Cr. Case No. 48-2022-CF-012862-O. According to the state complaint, on October 31, 2022, the Orange County Sherriff’s Office in the State of Florida, responded to an aggravated stalking (domestic violence) incident at 7573 Finscastle Way, Orlando, Florida. Upon arrival, Mrs. Yaliette Marcon reported that she had ended a one-year relationship with her boyfriend, Mr. Torres-Garcia. Mrs. Marcon also reported that they share one child in common.

Mrs. Marcon further reported that on October 26, 2022, Mr. Torres-Garcia called her twelve times and drove to her residence and discharged a firearm in her backyard after not receiving a response from her. On October 31, 2022, Mrs. Marcon also received messages from the defendant threatening to burn the residence and also received pictures of gasoline cans. In addition, the defendant threatened to kill her if she did not allow him to see his son.

Mr. Torres-Garcia remained detained in a state prison until January 23, 2023, when Assistant State Attorney Tiffany Marie Colon filed a motion informing that the case was not suitable for prosecution and that defendant be released from custody provided there were no other charges or holds against him. On January 24, 2023, the charges in Cr. No. 48-2022-CF-012862-O, were dismissed. Subsequently, Mr. Torres-Garcia was extradited to the Metropolitan Detention Center in Guaynabo, PR.

STANDARD CONDITON #1: “THE DEFENDANT SHALL NOT LEAVE THE JUDICIAL DISTRICT WITHOUT THE PERMISSION OF THE COURT OR PROBATION OFFICER”

STANDARD CONDITION #6: “THE DEFENDANT SHALL NOTIFY THE PROBATION OFFICER AT LEAST TEN DAYS PRIOR TO ANY CHANGE IN RESIDENCE OR EMPLOYMENT”

Mr. Torres-Garcia absconded from supervision for a period of approximately three years and was arrested outside of our jurisdiction in the State of Florida. According to our records Mr. Torres-Garcia did not request authorization to travel or reside to the State of Florida.

THEREFORE, in view of the aforementioned, it is respectfully requested that the Court takes notice of the content of this motion and include the above-mentioned violations in the pending revocation proceedings.

In San Juan, Puerto Rico, this 31st day of January of 2023.

Respectfully submitted,

LUIS O. ENCARNACION CHIEF
U.S. PROBATION OFFICER

s/Luis O. Santana-Tapia

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 31, 2023, I electronically filed the foregoing motion with the Clerk of the Court using the EM/ECF system which will send notification of such filing to the parties in this case.

In San Juan, Puerto Rico this 31st day of January of 2023.

s/Luis O. Santana-Tapia
Luis O. Santana-Tapia
U.S. Probation Officer